

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Emily Devaney	Team: Squad #04	CCRB Case #: 202003797	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input checked="" type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Saturday, 05/30/2020 5:00 PM	Location of Incident: Bedford Avenue and Tilden Avenue	18 Mo. SOL 5/4/2022	Precinct: 70		
Date/Time CV Reported Tue, 06/02/2020 8:38 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Tue, 06/02/2020 8:38 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Christophe Pierre	02499	962014	070 PCT
2. An officer			
3. POM Christian Chiqui	02404	963456	070 PCT
4. POM Johnny Marquez	13959	960876	SRG 3

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Marc Fontana	16274	951741	070 PCT
2. POM Edward Obrien	03529	961548	070 PCT
3. POM Dionnys Hernandez	03844	961814	070 PCT
4. POM Constantin Neamtu	03504	961000	070 PCT
5. POM Arthur Becerra	00279	961495	070 PCT
6. POM Justin Stewart	23742	962819	070 PCT
7. POM Anthony Carolei	11381	961670	070 PCT
8. POM Mateusz Wybraniec	07999	966402	070 PCT
9. LT William Cusack	00000	915539	070 PCT
10. POM Anthony Melidones	00870	961943	070 PCT
11. POM Salvatore Carcaterra	19393	962972	070 PCT
12. POM Michael Sher	07435	951244	070 PCT
13. POM Tyler Bradshaw	02855	963411	070 PCT
14. POM Jesus Carrillo	17946	923634	070 PCT
15. POM Daniston Swaby	17025	967699	070 PCT
16. POM Jay Huang	31783	965199	070 PCT
17. POM Yayonfrant Jeanpierre	02796	947104	070 PCT
18. POM Michael Digiovanna	12626	966033	070 PCT
19. SGT Imran Khan	05564	956020	070 PCT
20. POM Amir Hussain	11495	960698	069 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
21. POM Murad Pashayev	27465	968698	REC TNG
22. POM Matthew Blomquist	15428	960258	070 PCT
23. POM Jasmin Nikocecic	10577	939118	070 PCT
24. POF Radha Rana	18763	960087	070 PCT
25. POF Rosanna Matos	26210	964148	061 PCT
26. POF Cheryta Towns	08455	939598	TB DT34
27. POM John Martinez	17841	960888	072 PCT
28. POM Naveenkum Thiruverkadu	23700	954367	TB DT34
29. SGT Hamlet Hernandez	04178	945817	040 PCT
30. POM Allan Rinvil	18767	943731	TB DT32
31. POF Jannie Wong	10936	955672	070 PCT
32. POM Alexander Garcia	18244	967883	063 PCT
33. POM Alex Frias	15217	954828	TB BKTF
34. POF Noemi Osore	08380	963675	070 PCT
35. POM Adan Suazorodas	10750	963771	070 PCT
36. POM David Mancuso	26647	953045	078 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Christophe Pierre	Force: Police Officer Christophe Pierre struck an individual with a baton.	
B.POM Christophe Pierre	Force: Police Officer Christophe Pierre struck § 87(2)(b) with a baton.	
C. An officer	Discourtesy: An officer spoke discourteously to § 87(2)(b)	
D. An officer	Force: An officer used physical force against § 87(2)(b)	
E. An officer	Discourtesy: An officer spoke discourteously to § 87(2)(b)	
F.POM Christian Chiqui	Force: Police Officer Christian Chiqui used physical force against § 87(2)(b)	
G.POM Christian Chiqui	Abuse: Police Officer Christian Chiqui refused to provide his shield number to § 87(2)(b)	
H.POM Johnny Marquez	Force: Police Officer Johnny Marquez struck an individual with a baton.	
I.POM Johnny Marquez	Untruthful Stmt.: Police Officer Johnny Marquez provided a false official statement to the CCRB.	

Case Summary

On June 3, 2020, § 87(2)(b) filed this complaint with the CCRB online.

On May 30, 2020, at approximately 5:00 p.m., § 87(2)(b) and § 87(2)(b) attended a protest that marched through Brooklyn until reaching Bedford Avenue and Tilden Avenue. There was a large crowd of protesters and police officers. § 87(2)(b) and § 87(2)(b) saw Police Officer Christopher Pierre from the 70th Precinct strike an unidentified individual, Individual 1, with a baton (**Allegation A: Force**, § 87(2)(g)). § 87(2)(b) stepped between Individual 1 and PO Pierre, and PO Pierre struck § 87(2)(b) with a baton multiple times (**Allegation B: Force**, § 87(2)(g)). § 87(2)(b) and § 87(2)(b) moved away from PO Pierre. § 87(2)(b) encountered an officer, Officer 1, who allegedly told § 87(2)(b) “Get your fucking phone out of my face,” (**Allegation C: Discourtesy**, § 87(2)(g)). Police officers told the crowd to move to the sidewalk. An officer, Officer 2, pushed § 87(2)(b) over a construction barricade toward the sidewalk (**Allegation D: Force**, § 87(2)(g)). Officer 2 allegedly used profanity toward § 87(2)(b) (**Allegation E: Discourtesy**, § 87(2)(g)). Police Officer Christian Chiqui from the 70th Precinct pushed § 87(2)(b) over the same construction barricade (**Allegation F: Force**, § 87(2)(g)). § 87(2)(b) noted that a black mourning band obscured PO Chiqui’s shield number so that it was not visible (**Allegation G: Abuse of Authority**, § 87(2)(g)). During this protest, body-worn camera (BWC) video captured that Police Officer Johnny Marquez from the 70th Precinct struck an individual, Individual 2, with a baton (**Allegation H: Force**, § 87(2)(g)). The CCRB found that PO Marquez provided a false official statement regarding this incident (**Allegation I: Untruthful Statement**, § 87(2)(g)).

The investigation obtained 37 BWC videos in response to two separate requests for footage from the NYPD Legal Department (Board Review 04-40).

Findings and Recommendations

Allegation (A) Force: Police Officer Christopher Pierre struck an individual with a baton.

Allegation (B) Force: Police Officer Christopher Pierre struck § 87(2)(b) with a baton.

It is undisputed that the protesters initially chanted and marched peacefully through the streets as the police followed them. When the group arrived at Bedford Avenue and Tilden Avenue, officers urged protesters to move to the sidewalks.

§ 87(2)(b), § 87(2)(b) and § 87(2)(b) all testified that officers began indiscriminately pushing protesters without provocation (Board Review 01, 02, 03, respectively).

§ 87(2)(b) stated that officers repeated the instruction, “Move back,” as they pushed individuals (Board Review 02). It was not clear where the officers wanted the crowd to move. Then § 87(2)(b) saw an NYPD van in the road. Officers told the crowd, “Keep moving.” § 87(2)(b) saw PO Pierre approach Individual 1 and hold his baton horizontally against her. § 87(2)(b) believed PO Pierre pushed Individual 1, but she could not say for certain because her view was obscured. PO Pierre raised his baton as if to strike Individual 1. § 87(2)(b) stepped in front of PO Pierre and held her arms up to shield Individual 1. PO Pierre pushed his baton against § 87(2)(b) hands which fell back against her shoulders. § 87(2)(b) grasped the baton in self-defense. PO Pierre pulled the baton back and thrust it forward against § 87(2)(b) in quick succession. § 87(2)(b) fell forward and backward with this motion, causing lasting pain to her neck and back. PO Pierre pushed § 87(2)(b) again, this time with the butt of his baton against her left upper arm. PO Pierre pushed § 87(2)(b) with such force that she fell backward onto the ground. § 87(2)(b) sustained a bruise on her arm from the push, although she did not have any photos of the injury. PO Pierre raised his baton as if to strike § 87(2)(b) but § 87(2)(b) stepped between PO Pierre and § 87(2)(b). PO Pierre lowered his baton.

The BWC from PO Pierre captured PO Pierre engaging the protesters, beginning at the 6:58 minute-mark of the player's timestamp (Board Review 13). PO Pierre indiscriminately pushed multiple individuals with his baton held horizontally in front of him. As he did this, PO Pierre repeated, "Move," multiple times. At 7:41, PO Pierre approached Individual 1 who was standing still and holding her cell phone in front of her at chest height. PO Pierre said, "Move," and simultaneously pushed Individual 1 with his baton making contact with the back of her phone and her hands. It is unclear if PO Pierre made contact with any other part of Individual 1's body. Individual 1 stepped backward, and § 87(2)(b) who was wearing a backpack in front of her torso, stretched her hands in front of Individual 1. PO Pierre pushed his baton against § 87(2)(b) making contact with part of the backpack covering her lower abdomen, at 7:46. § 87(2)(b) dropped her hands toward her waist, and her left hand grasped PO Pierre's baton, as seen at 7:47. PO Pierre pulled his baton back, and § 87(2)(b) let go of the baton. At 7:48, PO Pierre pushed his baton against § 87(2)(b) again, making contact with her left shoulder. PO Pierre pulled his baton back and raised it horizontally so that it was above his BWC. § 87(2)(b) and Individual 1 stretch their arms toward PO Pierre, at 7:49. PO Pierre pushed his baton forward against § 87(2)(b) and Individual 1 who stepped backward. At 7:52, § 87(2)(b) stepped forward toward PO Pierre. PO Pierre pushed § 87(2)(b) a fourth time, making contact with her left arm above the elbow. § 87(2)(b) stepped backward and walked a few feet away from PO Pierre. At 7:55, § 87(2)(b) approached PO Pierre again and pointed to an unknown object on the ground out of frame. PO Pierre stepped back, and § 87(2)(b) collected the unknown item from the ground. At 8:03, after § 87(2)(b) stood up, PO Pierre pushed § 87(2)(b) a fifth time with his baton across her upper left arm and back. § 87(2)(b) turned around to face PO Pierre and held her hands out. PO Pierre pushed his baton against § 87(2)(b) who grasped the baton in her hands. PO Pierre pulled the baton backward and sharply thrust forward causing § 87(2)(b) to fall backward onto the ground.

PO Pierre testified that he and other officers told protesters to "move" or "move back" in order to move the NYPD vehicle from the street (Board Review 41). PO Pierre did not tell protesters where to move and did not give them any additional instructions. The crowd was generally noncompliant. PO Pierre was concerned the crowd would become violent after an unknown individual threw a water bottle at the officers. As PO Pierre told the crowd to move, PO Pierre held his baton in front of him and guided protesters out of the way of the vehicle. PO Pierre denied striking an individual or § 87(2)(b) with his baton. PO Pierre explained that his BWC video showed that he "guided" an individual once because she did not comply with his order to move. PO Pierre believed the individual was sending a text message at the time. PO Pierre "guided" § 87(2)(b) multiple times to guide her backward. PO Pierre shook his baton back-and-forth because he believed § 87(2)(b) was attempting to take his baton from him. PO Pierre stated it would have been a safety risk if § 87(2)(b) took his baton.

PO Pierre learned to "guide" individuals during his training at the Police Academy in 2016. PO Pierre was taught to hold his baton horizontally in both hands with his arms locked in an outstretched position or bent at the elbows and press the baton against the crowd in a back-and-forth motion.

Based on the video evidence, the investigation determined that PO Pierre did not press his baton against an individual or § 87(2)(b) in the manner in which he was allegedly trained. Rather, PO Pierre pushed an individual once and § 87(2)(b) several times.

According to NYPD Patrol Guide Procedure 221-01, officers may use force when it is reasonable to ensure the safety of an individual (Board Review 44). Officers will only use the reasonable force necessary to gain control of a subject while considering a number of factors including, but not

limited to, actions taken by the subject; immediacy of the perceived threat or harm to individuals; and the presence of a hostile crowd. When appropriate and safe to do so, officers are required to use de-escalation techniques, such as issuing verbal commands, to safely gain voluntary compliance of a subject in order to reduce or eliminate the necessity of force.

PO Pierre failed to provide a clear verbal command to an individual and also failed to give them time to comply with the command. Moreover, PO Pierre's first interaction with an individual was to push the individual with his baton, escalating the encounter. Although PO Pierre described concern that the crowd would become hostile because of a water bottle thrown at the officers, by the video evidence and PO Pierre's own account, the individual was on her phone at the time and did not pose a threat to PO Pierre or anyone else. [REDACTED] § 87(2)(g)

Similarly, PO Pierre failed to give verbal commands to [REDACTED] and de-escalate the encounter. PO Pierre aimlessly pushed [REDACTED] multiple times before [REDACTED] grabbed his baton. Although PO Pierre believed this was a dangerous action, this factor was not present until after PO Pierre pushed [REDACTED] § 87(2)(g)

Allegation (C) Discourtesy: An officer spoke discourteously to [REDACTED] § 87(2)(b) testified that she and other protesters moved to the sides of the street in compliance with officers' orders to move (Board Review 02). None of the protesters acted violently as officers pushed them toward the sidewalks. [REDACTED] § 87(2)(b) witnessed approximately ten officers arrest an individual. [REDACTED] § 87(2)(b) moved toward the individual with her phone in her hand attempting to capture a video of the individual's arrest. An officer said to [REDACTED] § 87(2)(b) "Get your phone out of my fucking face," or, "Get your fucking phone out of my face." [REDACTED] § 87(2)(b) did not recall the officer's exact words, only that the officer used the word "fucking" as she told [REDACTED] § 87(2)(b) to move her phone. [REDACTED] § 87(2)(b) described this officer as a white female who was approximately 5'7" and in her 30s with reddish-brown hair, heavy build, and wearing an NYPD uniform with short sleeves.

Although both [REDACTED] § 87(2)(b) and [REDACTED] § 87(2)(b) recalled officers cursing at the crowd of protesters, neither witnessed this encounter (Board Review 01, 03, respectively).

PO Pierre, PO Chiqui, and PO Marquez did not know of an officer that matched the description of this subject officer (Board Review 41, 42, 43, respectively).

None of the BWC videos captured this incident (Board Review 04-40).

[REDACTED] § 87(2)(g)

Allegation (D) Force: An officer used physical force against [REDACTED] § 87(2)(b)
Allegation (E) Discourtesy: An officer spoke discourteously to [REDACTED] § 87(2)(b)
[REDACTED] § 87(2)(b) testified that she and other protesters could not move onto the sidewalk because of construction barricades obstructing their path to the sidewalk (Board Review 01). Officers pushed the crowd against the barricades. [REDACTED] § 87(2)(b) told an officer standing in front of her, "There's a

barricade.” The officer replied, “Get on the fucking sidewalk,” and simultaneously pushed his baton across § 87(2)(b) chest. § 87(2)(b) fell backwards over the barricade and landed on her left buttock and thigh. § 87(2)(b) described this officer as a Hispanic male in his late-30s, approximately 5’7” with an average build wearing a short-sleeved NYPD uniform, helmet, and possibly a wristwatch, though she could not say for certain.

Neither § 87(2)(b) nor § 87(2)(b) witnessed this interaction (Board Review 02, 03, respectively).

The BWC from PO Chiqui captured a portion of this interaction beginning at the 00:26 minute-mark of the player’s timestamp (Board Review 40). § 87(2)(b) and § 87(2)(b) were standing in front of an orange and white barricade. § 87(2)(b) lifted her left leg on top of the barricade. At 00:28, an officer put their right hand on her left leg and pushed § 87(2)(b) over the barricade. With the exception of their right hand, the officer was not captured in the video. There is no audio at this point in the video.

None of the other BWC videos captured this interaction (Board Review 04-39).

PO Chiqui stated that he had no recollection of § 87(2)(b) and did not observe any officer push her (Board Review 42). PO Pierre also did not observe any officer push § 87(2)(b) or any civilian, over the barricade (Board Review 41).

§ 87(2)(g)

Allegation (F) Force: Police Officer Christian Chiqui used physical force against § 87(2)(b)

§ 87(2)(b) testified that there were two or three protesters and the construction barricade that blocked her from moving to the sidewalk (Board Review 02). PO Chiqui told § 87(2)(b) to move back or get on the sidewalk. § 87(2)(b) told PO Chiqui, “I’m trying to move. There are people in the way.” PO Chiqui pushed § 87(2)(b) with his baton across her chest near her shoulders. § 87(2)(b) fell backwards over the barricade and landed on another protester. Additional protesters fell on top of § 87(2)(b) as officers pushed more people over the barricades. § 87(2)(b) got to her feet and stood behind the barricade in front of PO Chiqui. § 87(2)(b) yelled at PO Chiqui because she was upset.

PO Chiqui testified that his memory from this incident was faulty because an individual tackled him and punched him in the head at some point during the protest (Board Review 42). PO Chiqui did not recall at what point he was attacked. PO Chiqui stayed on scene for the remainder of his tour and went to the hospital afterward. After seeing a photo of § 87(2)(b) PO Chiqui recalled telling her to move back several times. There was a barricade behind § 87(2)(b) but it did not prevent her from moving onto the sidewalk because PO Chiqui gave § 87(2)(b) at least one minute for § 87(2)(b) to move to the other side of the barricade. § 87(2)(b) fell over the barricade. PO Chiqui did not recall how § 87(2)(b) fell. PO Chiqui denied pushing § 87(2)(b). § 87(2)(b) yelled at PO Chiqui in Spanish and English saying that PO Chiqui was a “disgrace to the Hispanic community.” PO Chiqui did not reply.

PO Chiqui’s BWC video captured this encounter beginning at the 00:21 minute-mark of the player’s timestamp (Board Review 40). § 87(2)(b) stood in front of the construction barricade and lifted her right leg onto the barricade. At 00:28, PO Chiqui pushed § 87(2)(b) with his baton making contact with her left hip or upper thigh. § 87(2)(b) fell sideways over the barricade. There

was no audio captured at this point; thus, it is unclear if there was any conversation between PO Chiqui and § 87(2)(b).

The NYPD Legal Department provided PO Chiqui's BWC video in response to a second request for BWC footage. The investigation did not receive this video until after PO Chiqui's CCRB interview. However, PO Chiqui testified that he reviewed this video three days prior to his interview.

As addressed above, NYPD Patrol Guide Procedure 221-01, permits officers to use a reasonable amount of force necessary to gain control of a subject or to ensure the safety of an individual (Board Review 44). Officers are required to use de-escalation techniques when appropriate to safely gain voluntary compliance of a subject in order to reduce or eliminate the necessity of force.

Although not captured on BWC video, it is likely that PO Chiqui told § 87(2)(b) to move back based on his and § 87(2)(b) testimony. The BWC showed that § 87(2)(b) was attempting to move onto the sidewalk when PO Chiqui pushed her. § 87(2)(g) § 87(2)(b)

Allegation (G) Abuse of Authority: Police Officer Christian Chiqui refused to provide his shield number to § 87(2)(b)

§ 87(2)(b) testified that PO Chiqui's shield number was covered by a black band (Board Review 02). § 87(2)(b) asked PO Chiqui, "Why is your badge covered?" PO Chiqui did not reply. § 87(2)(b) was able to read his nameplate. § 87(2)(b) did not have a photo showing PO Chiqui's obscured shield.

PO Chiqui testified that at the start of his tour on this date he was wearing a mourning band around his shield in a manner that did not cover his shield number (Board Review 42). PO Chiqui recalled that § 87(2)(b) said, "Why can't I see your shield?" or something similar. PO Chiqui did not look to see if his shield number was obscured. PO Chiqui did not reply to § 87(2)(b) because § 87(2)(b) did not request PO Chiqui's shield number. PO Chiqui stated during his interview that it was possible that the mourning band fell down over his shield number when he was attacked. PO Chiqui stated during his CCRB interview that it is NYPD policy that officers must have their shield numbers visible and that mourning bands should not cover their shield numbers.

PO Chiqui confirmed § 87(2)(b) informed him she could not see his shield number. Given that PO Chiqui was wearing a mourning band at the time and that he believed the mourning band may have fallen when he was attacked, § 87(2)(g)

Members of service who choose to wear a black elastic mourning band on their shields are required to leave their shield numbers or rank designation visible, according to NYPD Patrol Guide Procedure 204-17 (Board Review 45).

PO Chiqui understood that it was against policy for officers to wear mourning bands in a way that covered their shield numbers; however, when § 87(2)(b) confronted him with the fact that his shield number was not visible, PO Chiqui did not check his mourning band, let alone uncover his shield number. § 87(2)(g)

Allegation (H) Force: Police Officer Johnny Marquez struck an individual with a baton. The BWC video from PO Owens showed that PO Marquez engaged Individual 2 beginning at the

4:32 minute-mark of the player's timestamp (Board Review 07). Individual 2 appeared to be wearing a white t-shirt, khaki pants, a red and black bicycle helmet, clear goggles, and a black hygienic facemask. Individual 2 held a skateboard lengthwise against his chest. Individual 2 was walking backwards away from officers when PO Marquez ran toward Individual 2. At 4:37, PO Marquez raised his baton up near his left ear and swung the baton with one hand across his body striking Individual 2. The baton appeared to make contact with Individual 2's upper body, head, or the skateboard, which Individual 2 kept at his chest. At 4:38, PO Marquez swung his baton at Individual 2 again in the same manner as the first. PO Marquez did not appear to make contact with Individual 2 the second time. Individual 2 ran away with the skateboard, and PO Marquez did not pursue them.

The investigation was unable to identify Individual 2 and therefore did not obtain a statement from them.

PO Marquez testified that he was trained in the Police Academy to hold his baton with both hands diagonally in front of his body and push the baton slowly against individuals in order to move them (Board Review 43). PO Marquez learned that officers were not supposed to strike individuals with their batons. PO Marquez specified that a strike, which was different than using a baton in the diagonal manner, was a quick one- or two-handed forward motion against an individual. PO Marquez initially denied striking any person with his baton during this protest.

After viewing PO Owen's BWC video, mentioned above, PO Marquez maintained that he did not strike Individual 2 (Board Review 43). PO Marquez explained that he first noticed Individual 2 when they attempted to push officers with their skateboard. PO Marquez did not know if Individual 2 successfully pushed any officer. Within seconds, Individual 2 dropped his skateboard underneath a parked car. PO Marquez reached for the skateboard with one hand while simultaneously pushing Individual 2 away with the other hand holding his baton. PO Marquez did not make contact with Individual 2 at any point. PO Marquez attempted to push Individual 2 away from the skateboard so that they could not use it against any officers. PO Marquez had no additional interactions with Individual 2.

The BWC video evidence directly contradicted PO Marquez's testimony given that the video clearly did not depict Individual 2 dropping the skateboard or PO Marquez doing anything except swinging his baton at Individual 2.

Officers may use force when it is reasonable to ensure the safety of an individual, according to NYPD Patrol Guide Procedure 221-01 (Board Review 44). Officers will only use the reasonable force necessary to gain control of a subject while considering a number of factors including, but not limited to, actions taken by the subject; immediacy of the perceived threat or harm to individuals; and the presence of a hostile crowd.

Individual 2 was moving away from PO Marquez and other officers when PO Marquez pursued them. PO Marquez did not articulate a credible reason for striking Individual 2 given that his explanation, to move Individual 2 away from the skateboard, was false. Given that PO Marquez did not strike Individual 2 to ensure a person's safety or to place Individual 2 in custody, § 87(2)(b)

(g)

Allegation (I) Untruthful Statement: Police Officer Johnny Marquez provided a false official statement to the CCRB.

The CCRB found evidence suggesting that PO Marquez provided a false official statement

regarding this incident.

On November 30, 2020, PO Marquez provided a statement to the CCRB regarding this incident. PO Marquez initially did not recall interacting with Individual 2.

The BWC video from PO Owens showed that PO Marquez swung his baton twice at Individual 2, beginning at the 4:32 minute-mark of the player's timestamp (Board Review 07). PO Marquez struck Individual 2 on the first swing but not on the second, as detailed above.

After viewing PO Owen's BWC video, PO Marquez denied striking Individual 2 (Board Review 43). Rather, PO Marquez stated that he reached for the skateboard with one hand while simultaneously attempted to push Individual 2 away with the other hand holding his baton. PO Marquez maintained that he did not make physical contact with Individual 2.

As stated above, PO Marquez's testimony is inaccurate based on the BWC video from PO Owens.

NYPD Patrol Guide Procedure 203-08 states that an officer is prohibited from making a false official statement and that an officer found to have made such a statement will be subject to disciplinary action (Board Review 53). The Patrol Guide defines a False Statement as an intentional statement that a member of service knows to be untrue and which is material to an investigation.

It has been established that PO Marquez struck Individual 2 with a baton. PO Marquez's statement that he did not strike Individual 2 was material to this allegation. § 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first complaint to which § 87(2)(b) has been a party (Board Review 46).
- This is the first complaint to which § 87(2)(b) has been a party (Board Review 46).
- PO Pierre has been a member of service for four years and has been a subject in four CCRB complaints and nine allegations, of which one was substantiated (Board Review 47):
 - 201809275 involved a substantiated allegation of offensive language against PO Pierre. The Board recommended formalized training, and the NYPD imposed no penalty.
 - § 87(2)(g)
- PO Chiqui has been a member of service for three years, and this is the first CCRB complaint to which he has been a subject (Board Review 48).
- PO Marquez has been a member of service for five years and has been a subject in two CCRB complaints and two allegations, none of which were substantiated (Board Review 49). § 87(2)(g)

§ 87(2)(g)

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- As of February 26, 2021, New York City Office of the Comptroller has no record of a Notice of Claim being filed in regard to this complaint (Board Review 50).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

§ 87(2)(g)

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[REDACTED]

Squad No.: 4

Investigator: 
Signature

Inv. Devaney
Print Title & Name

05/24/2021
Date

Squad Leader: Raquel Velasquez
Signature

IM Raquel Velasquez
Print Title & Name

05/24/2021
Date

Reviewer: _____
Signature

Print Title & Name

Date